

Village of Canal Winchester 36 South High Street Canal Winchester, Ohio 43110-1213

Village Council Monday, February 18, 2008 7:00 PM

Minutes

Call to Order:

Mr. Deeds called the meeting to order at 7:06pm

Pledge of Allegiance:

Mrs. Turner led the Pledge of Allegiance.

Roll Call:

John Bender

Rick Deeds

Bruce Jarvis

Bobbie Mershon

Victor Paini Leah Turner

Mr. Jarvis moved to excuse Mrs. Rush-Ekelberry from the meeting due to the fact that she is out of Town. Ms. Mershon seconded the motion.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

<u>Approval of Minutes:</u>

Dr. Bender moved to approve the minutes from the February 4th, 2008 meeting and the Public Hearing on February 4, 2008. Ms. Mershon seconded the motion.

Mr. Paini noted that 0-08-02B in the minutes, references Mr. Deeds asking for the Mayor's opinion and it was, in fact, Mr. Paini that asked the Mayor.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Communications & Petitions:

Steve Donahue is representing the Citizens for Kids Committee regarding the 8.9 mill operating levy on the March 4, 2008 ballot for the Canal Winchester Local School District. If the levy does not pass, there will have to be \$2 million in cuts. At this time, 80% of the budget is staffing and it will be cut in

Office: (614) 837-7493 Fax: (614) 837-0145

the fall if the levy doesn't pass. Mr. Donahue is asking for Council's support in the form of a Resolution supporting the school issues. Mr. Donahue also advised anyone needing a sign could contact him.

Nanisa Osborn noted that a notice was received from Columbia Gas of Ohio of their intent to file for a base rate increase. The Letter included a copy of the Pre-filing Notice to the PUCO.

A letter from Insight Communications was received regarding changes to digital music channel lineups effective March.

A letter from Insight Communications was received notifying the Village that AZN Television (Channel 390) will be removed from the channel lineup effective April 9, 2008 due to low viewership.

A memo from Mayor Michael Ebert recommending members for appointment to the CRA Housing Council as Mayoral Appointments was received.

A memo from Chris Strayer recommending members for appointment to the CRA Housing Council as Council appointments was also received.

Mr. Paini noted, with regard to the Columbia Gas notice, that it states that this is their first base rate increase in 14 years. Ms. Osborn explained that the fluctuations seen on a bill are due to the changes in gas prices. The base rate is the cost of getting the gas to the home, *before* the price of gas is added.

Village Residents Comments:

Five-minute limit per person

Jeffrey Bond, 36 S. Washington Street, believes that his siding was damaged during a period of time in which the street was open. The damage was unable to be removed and he had to install new siding on his home. He brings this to Council's attention to ensure that they take this possibility into consideration during the Columbus Street project, so as to not damage any other homes.

When the siding was removed from his home, the clapboard was in fairly good condition. Mr. Bond questions that the rules regarding the Historic District may not be strict enough, as he would have restored the clapboard instead of putting the siding back if there were rules that would have made him.

Mr. Bonds home is a 1905 house that was a deep rose color with yellow trim and lovely architectural details in its day. It was passed over on the Landmarks Commission due to too many changes from its original structure. Mr. Bonds believes this is an oversight and that some houses need to be reconsidered for the Historic Registry.

Nat Floyd, of 7516 Jenkins Dr., came down Dietz Road and turned left into Indian Trail Elementary and it took him 14 minutes just on Dietz Road until he could complete his turn. Mr. Floyd is asking if there could be a turn signal or a delay to alleviate this problem.

Mr. Peoples noted that this issue will be addressed in the five-year CIP for the widening of Gender Road south of Groveport Road which is slated to begin planning in 2009.

Mr. Deeds asks that Landmarks take up the issue of reconsidering some homes for the Historic District and the Historic Overlay.

ORDINANCES:

First Reading

Sponsor:

Ms. Turner

O-02-08F

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT

WITH BOB MCDORMAN CHEVROLET FOR THE PURCHASE OF A 2008

CHEVROLET EQUINOX AND DECLARING AN EMERGENCY

Mrs. Turner read this ordinance and clarified that the emergency declaration was due to a time-table in honoring a quoted purchase price.

Mr. Deeds asked if it was appropriated for this year and Mr. Peoples assured that it was.

Mr. Jarvis asked what type of vehicle is was and Mr. Peoples stated it is a SUV type vehicle.

Ms. Turner made a motion to suspend the rules requiring a second and third reading. Ms. Mershon seconded the motion.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Ms. Turner requested a motion to approve Ordinance 04-08. Ms. Mershon seconded the motion.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Sponsor:

Mr. Paini

O-02-08G

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT

WITH FINN CORPORATION FOR THE PURCHASE OF A MODEL T60T SERIES II

HYDROSEEDER AND DECLARING AN EMERGENCY

Mr. Paini read the Ordinance.

Mr. Peoples explained that this is a very versatile piece of equipment that will be used by Mr. Miller and other members of the Public Works Department. Its main use will be to water hanging baskets. It has a 600 gallon tank as opposed to a 200 gallon tank on the current unit which will allow it to water trees and even fight a fire.

Mr. Paini added that it will eliminate the multiple trips needed for all the watering in the summer, as this unit will be able to take enough water in one trip.

Mr. Paini moved to waive the second and third reading and declare an emergency, seconded by Mr. Jarvis.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Mr. Paini moved to adopt Ordinance 05-08, seconded by Dr. Bender.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Sponsor:

Ms. Turner

O-02-08H

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENTS

FOR THE PURCHASE OF THE RIGHT OF WAY NECESSARY FOR THE

RECONSTRUCTION OF COLUMBUS STREET AND DECLARING AN EMERGENCY

Ms. Turner read the ordinance. Mr. Peoples amended this to a first reading only.

Sponsor:

Dr. Bender

O-02-08J

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH BOB MCDORMAN CHEVROLET FOR THE PURCHASE OF A 2008 MODEL

W4500 TILT CAB CHASSIS CAB AND DECLARING AN EMERGENCY

Dr. Bender read the ordinance and moved that the second and third readings be waived. Motion was seconded by Mr. Paini.

Dr. Bender added that this is accounted for in the budget and is a very versatile piece of equipment.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Dr. Bender moved that Ordinance 06-08 be approved, seconded by Ms. Mershon.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Sponsor:

Mrs. Mershon

O-02-08K

AN ORDINANCE DETERMINING THE VIDEO SERVICE PROVIDER FEE TO BE PAID BY A VIDEO SERVICE PROVIDER OFFERING VIDEO SERVICE IN THE

VILLAGE PURSUANT TO A STATE AUTHORIZATION; AUTHORIZING THE MAYOR

TO GIVE NOTICE TO THE VIDEO SERVICE PROVIDER OF THE FEE; AND

DECLARING AN EMERGENCY.

Ms. Mershon read the Ordinance.

Ms. Osborn clarified that a State franchise for cable companies was established in the summer of 2007. That legislation requires that communities wishing to continue their franchise fees must put in place legislation to do so. Ms. Osborn added that this is only a first reading tonight. The Emergency clause is there so that after all the readings, the legislation can go into effect immediately.

Sponsor:

Mr. Paini

O-02-08L

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT

WITH C. F. BIRD & R. J. BULL, INC. FOR PROFESSIONAL ENGINEERING

SERVICES

Mr. Paini read the ordinance. It is first reading only.

Mr. Jarvis asked for clarification of this ordinance. Mr. Peoples responded that it is for engineering services for the water and waste water treatment plant and for plan review. Bird & Bull was the Construction Engineer for the Water Treatment Plant. They are also doing the facilities area plans for the Waste Water Treatment Plant as part of the Ohio EPA's 208 Plan, as well as, working with Steve Smith on the sludge press acquisition.

Sponsor:

Mr. Paini

O-02-08M

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE AND PLANTING OF TREES FOR THE 2008 SPRING TREE

PLANTING PROGRAM AND DECLARING AN EMERGENCY.

Mr. Paini read the ordinance and stated that the bid was for approximately \$21,000. Mr. Paini moved to waive the second and third readings and declare an emergency. Dr. Bender seconded the motion.

Mr. Deeds clarified that the reason for the emergency was to honor the timeline for the bid price.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Mr. Paini moved to adopt Ordinance 07-08 and was seconded by Ms. Mershon.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini.

Ms. Turner

NAYS

Motion carried.

SECOND READING

Sponsor:

Mr. Paini

O-08-02A

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH QUALITY CONTROL INSPECTION, INC. FOR CONSULTING SERVICES RELATING TO CONSTRUCTION INSPECTION FOR THE PERIOD FROM JANUARY

1, 2008 THROUGH FEBRUARY 1, 2009.

Mr. Paini read the ordinance. Second reading only.

Sponsor:

Mrs. Turner

O-08-02D

AN ORDINANCE TO ABOLISH THE NO RIGHT TURN ON RED DURING DESIGNATED TIMES RESTRICTION FROM THE INTERSECTION OF

WASHINGTON ST. AND COLUMBUS ST.

Ms. Turner read the ordinance. Second reading only.

Sponsor: Mrs. Turner

O-08-02E AN ORDINANCE TO ABOLISH THE NO PARKING RESTRICTIONS ON COLUMBUS

ST. WEST OF WASHINGTON ST.

Ms. Turner read the ordinance. Second reading only.

Third Reading:

Sponsor: Mrs. Rush-Ekelberry

O-08-01A

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT FOR INDIGENT DEFENSE REPRESENTATION IN THE FRANKLIN COUNTY MUNICIPAL COURT AND THE CANAL WINCHESTER MAYORS COURT FOR THE CALENDAR YEAR 2008 WITH THE FRANKLIN COUNTY PUBLIC DEFENDER.

Ms. Mershon read the ordinance in Ms. Rush-Ekelberry's absence and moved that Ordinance 08-08 be adopted. Dr. Bender seconded the motion.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Sponsor: Dr. Bender

O-08-01B

AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND THE

ZONING MAP OF THE VILLAGE OF CANAL WINCHESTER, REZONING

APPROXIMATELY 4.895 ACRES FROM GENERAL COMMÉRCIAL AND LIMITED MANUFACTURING TO PLANNED COMMERCIAL DISTRICT, LOCATED AT THE NORTHEAST CORNER OF WEST WATERLOO STREET AND CEMETERY ROAD

Dr. Bender read the ordinance and moved to adopt Ordinance 09-08. Motion was seconded by Mr. Jarvis.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Sponsor:

Dr. Bender

O-08-01C

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT

WITH RESOURCE INTERNATIONAL INC FOR CONSULTING SERVICES RELATING

TO CONSTRUCTION TESTING FOR THE PERIOD FROM JANUARY 1, 2008

THROUGH JANUARY 31, 2009.

Dr. Bender read the ordinance and moved to adopt Ordinance 10-08 be approved. Motion was seconded by Mr. Paini.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

RESOLUTIONS:

First Reading:

Sponsor:

Dr. Bender

R-08-02A

A RESOLUTION IN SUPPORT OF THE CANAL WINCHESTER LOCAL SCHOOL

DISTRICT 8.9 MILL OPERATING LEVY ON THE MARCH 4, 2008 BALLOT

Dr. Bender read the resolution and made a motion to suspend the rules of second and third reading. Motion was seconded by Ms. Mershon.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Dr. Bender moved that Resolution 02-08 be approved and Ms. Mershon seconded.

Dr. Bender stated that the future of our community is at stake here. A community depends on the quality of its school system and it is important that the Council pass this.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Sponsor:

Mr. Paini

R-08-02B

A RESOLUTION TO PROCLAIM MARCH 15, 2008 AS 'SCOUTING FOR FOOD DAY'

Mr. Paini read the resolution. First reading only.

Third Reading:

Sponsor:

Mrs. Rush Ekelberry

R-08-01A

A RESOLUTION TO APPOINT ALLAN NEIMAYER AND CHRISTOPHER STRAYER

AS THE VILLAGE REPRESENTATIVES TO THE FAIRFIELD COUNTY TAX

INCENTIVE REVIEW COUNCIL

Ms. Mershon read the resolution in Ms. Rush-Ekelberry's absence and moved that Resolution 03-08 be adopted. Motion was seconded by Mr. Paini.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Mayor's Report:

The Mayor shared with the Council that he was impressed with the amount of work and research staff does before presenting an issue to Council.

Public Works Director:

Mr. Peoples said the Columbus Street project will be starting by March 31st. South Central Power and AT&T or Insight will be in next week and then the trees will start coming down.

The Gender / Dietz signal is on flash and will stay on flash for 10 days. Full operation will begin after that.

2008 Street CIP will be out for bid on February 27th and March 5th with a March 14th bid opening. It will be coming before Council on March 7th.

Sidewalk inspections will begin as winter fades.

A Storm Water manual is being designed.

Downtown benches are being rehabbed by the Street Department. They are working on vehicle maintenance and are putting a fresh coat of paint and doing electrical work at the street shop.

Chris Filio, village resident and new employee, had his first day today. He is a Maintenance Operator

We are working on getting the roof replaced on Town Hall due to a large leak last week.

Water quality issues are under control at the Water Treatment Plant. Bird & Bull has been working on some chemical dosing issues and mixing issues and believes they have them taken care of.

Waste Water Treatment Plant is dealing with some problems with a pump at the plant and at the Ashbrook lift station.

Development Director:

Mr. Strayer stated that the CRA Housing Council will be here touring facilities and asking questions in April. This ties in with the TIRC and is when extensions of CRA tax abatements will be approved.

Community Affairs Director:

Mr. Hoover stated that the website is on track to launch in March.

Village Solicitor:

Mr. Hollins noted that the ROW ordinance should be left as an emergency, so that when passed at third reading it can be ready to go immediately.

Fairfield County Sheriff:

See written report.

All Deputies have gone through Taser training and will begin to carry the taser in the next couple weeks.

Finance Director:

See written report.

Council Reports:

Old Town Committee
Finance Committee
Service Committee
Safety Committee
Committee of the Whole

Monday, March 10, 2008 at 5:45 PM Monday, March 3, 2008 at 5:45 PM Monday, March 17, 2008 at 5:45 PM Monday, March 10, 2008 at 5:00 PM Monday, March 24, 2008 at 6:30 PM

New Business:

Steve Donahue and Carl Heister have been nominated by Mayor Ebert to CRA Housing Council.

Mr. Jarvis moved to confirm these nominations and Mr. Paini seconded the motion.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Mr. Strayer would like to nominate Chief Ken Taylor from Violet Township and Chief Clifford mason from Madison Township for the CRA Housing Council as well.

Dr. Bender moved to approve these nominations. Ms. Mershon seconded the motion.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

JARVIS

Mr. Hollins stated Don Miller has been trying to get names for the alleys in the rear of 36 S. High Street. Mr. Hollins showed a map of the area. Mr. Hollins is making a recommendation on behalf of the Old Town Committee that the north/south portion of the alley be named "Warehouse Alley" and the East/West portion be named "Towing Path" based on the history of the area and old maps. "Canal Alley" will also be named.

Mr. Jarvis moved to adopt the recommended names and authorize the Mayor and Finance Director to get the appropriate signage. Ms. Mershon seconded the motion. Further discussion ensued.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Old Business:

None at this time.

Adjourn to Executive Session:

Not needed at this time.

Adjournment:

Motion to adjourn by Mr. Paini and seconded Ms. Turner.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Turner

NAYS

Motion carried.

Time out: 8:03pm

Clerk of Council

3-5-08

Date

President of Council

Mayor

NOTE: The minutes set forth herein are an extract of the Council meetings. Anyone desiring a transcript of the complete minutes of the Council meeting may obtain the same at a cost of \$10.00 per page.